

Minutes of a Town Council meeting held on December 8th, AD 2011 at 6:10 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary Mataronas and Robert L. Mushen. Also in attendance: Fire Chief Richard Petrin.

At 6:10 PM the Council President polled his fellow Councilors as to their wishes to enter into executive session under RIGL Section 42-46-5(a)(2) collective bargaining. All councilors voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

Discussion ensued on negotiations for with IAFF Local 3957.

At 6:50 PM the Council President polled his fellow Councilors as to their wishes to come out of executive session under RIGL Section 42-46-5(a)(2) collective bargaining. All councilors voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Councilors Appleton and Bodington as negotiators to bargain with IAFF Local 3957 on behalf of the Town Council.

Motion made by Councilor Golembeske, receiving a second from

Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To take a short recess until 7:00 PM.

Robert L. Mushen, Clerk Pro-tem

Continuation of the minutes of a Town Council meeting held on December 8th, AD 2011. Being 7:00 o'clock PM the Town Council President called to order the regularly scheduled meeting of the Town Council with a Salute to the Flag. Council Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary Mataronas and Robert L. Mushen. Also present: Richard S. Humphrey, Town Solicitor arrived at 7:07 PM and Tom Dunn, Business Manager.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained: To approve, as written the Town Council meeting minutes from November 22, 2011.

Announcements:

1. The Town grieves with the City of Worcester, MA as they mourn the loss of a veteran Fire Fighter who lost his life in a fire on Wednesday.

- 2. The Town's audit is expected to be completed next week and filed before the December 31st deadline.**
- 3. The Town Hall will close at noon on Friday, December 23rd and be closed on Monday, December 26th and Monday, January 2nd in accordance with policy. As of this date the hours for the Transfer Station have not been settled upon residents will be informed of the hours should a change occur.**
- 4. The 2012 Transfer Station Stickers are presently available for purchase in the Office of the Town Clerk.**

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Fire Department Head Report for September 2011.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for November 2011.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Building Officials Department Head Report for November 2011.

Motion made by Councilor Golembeske, receiving a second from

Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Antone Marion, Jr. as the Republican Party Alternate Member on the Board of Canvassers for a term which will expire November 10, 2017.

Motion made by Councilor Golembeske, receiving a second from Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President to sign a letter opposing House Bill H5554 Sub A and Senate Bill S0533 to be sent to Senator DiPalma and Representative Gordon.

A letter has been received from Jack Crook, President of the LC Volunteer Fire Department stating that he has not been contacted by the Council concerning a previous request for reimbursement of funds relating to an air compressor. Councilor Appleton noted that both he and the Fire Chief have reviewed this matter and the Fire Chief has made multiple attempts to reach Mr. Crook without success. The Town Solicitor noted that a particular case is presently pending in the courts that could have a bearing on this matter. He suggested he work with both Councilor Appleton and the Fire Chief to review the decision once handed down and return to the Council.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To ask Councilor Appleton, Fire

Chief Petrin and the Town Solicitor to review a decision of the courts which may have bearing on this matter and return to a future council meeting with a plan of action regarding a request from the LC Volunteer Fire Department for reimbursement of funds from the sale of an air compressor.

Rob Marra made a brief presentation to the Council concerning his research of a littering problem on the Commons and a proposal for action. Mr. Marra suggests trash receptacles be offered for purchase by certain business establishments in town where the town would offer to pay for half of the cost of the receptacle. He further suggests that a letter be sent citing the State statute where receptacles are required in support of the proposal. In his research he has found that Earle's Service Station already supplies receptacles and would benefit from a recycling container on site.

Councilor Bodington would like to consider the locations of the existing barrels in an effort to more strategically place the barrels for optimal usage. It was noted that the refund received from RI Resource Recovery Corp. for the Town's recycling share could potentially be used to help offset the fees for this proposal if adopted.

Motion made by Councilor Mataronas, receiving a second from Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Mr. Marra and

Councilor Mushen to finalize a letter to be sent to several businesses within town concerning trash receptacles at their establishments for use by the public and to authorize Councilor Mushen to speak to these individuals personally before the letters are mailed.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the purchase of a snow plow to augment the previously authorized purchase of a pickup truck for the Town's Maintenance Department for an additional cost of \$6,140.

Councilor Mushen read through a proposal for a Road Superintendent with two phases. A brief discussion ensued where the following points were made:

- This proposal would be phase 1 – through June 30, 2012; and phase 2 should it take place July 1, 2012 to June 30, 2013 budget cycle.**
- Road Superintendent would be a contracted part time position, not an employee with benefits for phase 1**
- Hourly rates outside of the existing rates for highway equipment will be set by a proposed contract to be negotiated and voted upon separately**
- The Director of Public Works will be charged with proposing a plan for the budget of FY2013, which will be phase 2 should it be adopted**

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following proposal for a Road Superintendent:

Proposal for Road Superintendent for Town of Little Compton

Phase I (Fiscal Year 2012)

The Road Superintendent (RS) will be a contracted position. The contract will be approved by the Town Council and administered by the Director of Public Works (DPW).

The duties of the RS will consist of working and maintaining the Town roads under the supervision of the DPW. Operations which will need immediate attention during the current 2012 Fiscal Year will be prioritized by the RS and receive DPW concurrence.

The RS will prepare maintenance plans for both roadside swales and for driveway pipe replacements, which identify and prioritize work for spring, summer and fall of 2012. He will be compensated for this plan preparation at a rate to be specified in his contract. Once the plans are approved by the DPW, the RS will execute the plans, including overseeing the work of any other subcontractors who may be hired.

For the current winter the RS will be in charge of manning and

maintaining the Town Sander on the Town Truck. He will research and recommend the purchase of a more reliable piece of equipment for the future, with the goal that by the end of January it will be available.

The sanding operation will normally be done by having the RIDOT load the Town Sander at the State Garage on Willow Avenue and sanding the roads accordingly. However, when the State Garage is not available, the RS will load the Town Sander from the Town Transfer Station on Amy Hart Path. In the event the RS is not personally available to sand the town roads, he will be responsible to identify to the DPW a qualified driver, to meet liability insurance requirements. Each sanding evolution, whether initiated by the DPW or by Police Department request, will be compensated as defined in the annual fee schedule approved by the Town Council.

Because the current Town Sanding Truck is not reliable and because the Transfer Station site does not have equipment to load it, the following equipment will need to be supplied for the upcoming winter season. The RS may provide and be compensated for providing and operating this equipment, or another source may be utilized, depending upon which is more cost-effective:

- A back-up sander available to load either from the State Garage or at the Town Transfer station in the event the old Town Sander is not available to sand the roads.**

- A backhoe or loader capable of loading the Town Sander or its backup throughout the winter season. The backhoe/loader will also need to be available to work the existing sand/salt pile and receive more materials from time to time.

When the Town's equipment, or equipment provided as described above, needs repair, the RS will so inform the DPW, recommending the method of repair. In an emergency (such as a winter storm) he will take immediate action and inform the DPW of his decision as soon as practicable. Repairs to equipment will be paid for using normal purchasing procedures.

In the event the RS is needed to investigate water, snow or ice-related problems, he will be compensated for his time as specified in his contract, and for his vehicle mileage per the current federal mileage reimbursement rate (currently \$0.555 per mile driven).

The Town of Little Compton will appoint Jon Ibbotson as the Road Superintendent for Phase I.

Phase II (Fiscal Year 2013)

The Town Council will task the DPW with preparing a highway budget request which includes a compensated Road Superintendent position for the 2013 fiscal year. The compensation will offset some of the

costs the town now pays for subcontracted work.

There will also be, over time, capital outlays from the town for equipment and facilities. All capital outlays will be subject to approval from the Town Council after the Public Works Director and Road Superintendent agree and recommend them.

A complete description of the Road Superintendent duties will be developed, and a contract with the Road Superintendent prepared, as part of the budgeting process. The contract will be executed only after funds are approved at the Town Meeting for the fiscal year 2013 budget.

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To appoint Jon Ibbotson as the Town's Road Superintendent for fiscal year 2012 with a contract to be negotiated under a separate vote of the Council.

Motion made by Councilor Mataronas, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move communications #3 to this point in the meeting.

Dawn Brooks-Rapp addressed the Council regarding her request to obtain a Victualing and Peddler's License to operate a mobile food

truck within Little Compton. The Solicitor asked what would stop her from parking the truck in front of the Commons Lunch if she were granted these licenses. She responded that there are strict rules on where her vehicle could be parked and it was not her intent to take business away from an established restaurant. She is envisioning using the truck for festivals and specific events rather than a side of the road entity. Her truck is being built to Department of Health specifications and will meet all state and local requirements. She will only park on property where she has been granted permission. She hopes to negotiate the ability to sell at South Shore Beach, but has not presented the request before that commission as of this date. She also mentioned that someone asked that she inquire with the owners of Briggs Beach as to their interest. Councilor Appleton noted that she should not pursue that request due to the fact that the owners have a policy against that type of operation at the beach. Councilor Golembeske noted that this type of license is allowed by code it just is an unusual request for Little Compton.

Motion made by Councilor Bodington, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve a request for a Peddler's License and a Victualing License to be granted to Dawn Brooks-Rapp d/b/a Acacia Café, Acacia Catering LLC to operate a mobile food truck within Little Compton, contingent upon meeting all state and local requirements.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to advertise to request proposals for work to be done relating to the Historic/Passive Grant 2008-60-18 Town Commons where improvements will be made to the baseball recreational field as per specifications presently being drafted.

Councilor Mushen noted that on page 5 of an Interior Air Quality Mold Inspection Report submitted by Vortexx the following recommendations were made:

- 1) Installation of perimeter soffit, ridge/roof (passive and/or solar unites) and/or attic ventilation (work already in progress)**
- 2) Installation of a central HVAC system throughout the building. (Not under consideration at this time)**
- 3) Inspect the window/floor efficiency through an energy audit throughout the building (previously completed)**
- 4) Housekeeping – provide additional linoleum floor cleaning and carpet cleaning/replacement on a more frequent basis. (already in progress)**

It was noted that the work done previously with the basement/crawl space below the Treasurer's Office has resulted in improved air quality in that area. No actions were taken regarding this matter, simply informational.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To advertise to receive proposals for a Statistical Revaluation to take place in 2012.

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Victualing License to Compton Clambakes, LLC to cater within Little Compton, contingent upon meeting all state and local requirements.

Motion made by Councilor Mataronas, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the recommendation of the Board of Tax Assessors for the cancellation of the following taxes be granted under Section 44-7-14 of the General Laws of Rhode Island, as amended:

Acct/Name Plat/Lot/MV Abatement Value Abatement Year

08-0925-25 008/0007-1 \$81,900 \$436.53 2011

Hemerlein, Catherine J. \$81,900 \$436.53 2010

19-0469-05 008/0007-2 \$707,700 \$3,772.04 2011 & 2010

Shore, John C. & Mara

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

- 1. Copy of a notice of the intention of Coastal Resources Management Council's intent to amend its Rules and Regulations – comments may be submitted by December 30, 2011**
- 2. Copy of a resolution adopted by the Jamestown Town Council supporting a legislative initiative to amend RIGL 17-11-1 which would increase the number of voters served by the same polling place**
- 3. Letter addressed to the Council President from RI Emergency Management inviting a representative to attend a workshop on Dec. 7, 2011 concerning the new Coastal Data/FEMA Flood Insurance Rate Maps under the Risk Mapping Assessment Program**
- 4. Letter addressed to the Council President from US Dept. of Homeland Security, Region 1, FEMA regarding the upcoming Risk Mapping Assessment and Planning Discovery Meetings for our area.**
- 5. Copy of a Cease and Desist letter sent to Ruth Hough and Robert Compton of 16 Meadow Lane regarding building permit #11-357 as an appeal has been filed with the Zoning Board of Review**
- 6. Announcement of informational sessions entitled "Zoning in on flood coverage" sponsored by RI Interlocal Risk Management Trust**

Motion made by Councilor Bodington, receiving a second from Councilor Golembeske, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$73,576.40

Nationalgrid - Transfer Station \$63.05

Nationalgrid - Street Lights \$27.16

Nationalgrid - Public Safety Complex \$1,397.72

Nationalgrid - lights at Town Dock \$56.51

McGeogh's Turf Management Inc. - civic rec field \$305.00

McGeogh's Turf Management Inc. - civic rec field \$356.00

Petro - gasoline \$3,115.52

Petro - diesel \$1,061.00

United Site Services Inc. - Transfer Station \$115.00

EastBay Newspaper - Zoning Board \$54.45

EastBay Newspaper - Probate \$40.00

EastBay Newspaper - Council (Liq. License adv.) \$353.94

Paychex of New York LLC - Treasurer \$356.20

Core Business Technologies - Town Hall \$165.00

Mr. Insulation Inc. - Town Hall \$370.00

Woodcrest Design LLC - Rec. Cons. & Open Space \$320.00

Patrick McHugh - Rec. Cons. & Open Space \$53.23

Marjory O'Toole - Rec. Cons. & Open Space \$1,200.00

KTR Maintenance & Supply - Public Safety Complex \$1,080.00

KTR Maintenance & Supply - Fire Dept. \$9.50

Franlart Nurseries Inc. - Tree Warden \$2,100.00

EBW Landscaping - Rec. Cons. & Open Space \$1,000.00

Home Depot - Maintenance \$191.16

KP Manning Auto Parts - Maintenance \$19.56

RI Div. of Taxation - Highway \$5.50

RI Div. of Taxation - Harbor Master boat trailer \$5.50

RI Div. of Taxation - Maintenance \$5.50

RI Div. of Taxation - Maintenance \$5.50

Dave Venancio - Inspectors \$780.00

Roger's Machine Shop -Highway \$1,124.00

Mary-Jane Harrington - Treasurer \$15.54

Salva & Sons - Maintenance \$18.00

Medeiros & Sons Construction Inc. - Highway \$147.72

RIAAO - Tax Assessors \$100.00

RIAAO - Tax Assessors \$50.00

EastBay Newspapers - Tax Assessors \$108.90

PostMaster - Tax Assessors \$88.00

Aquidneck Mooring - Harbor Management Fund \$135.00

Allied Floor Covering Inc. - Fire Dept. \$340.09

Overhead Door Co. Providence - Fire Dept. \$116.20

Staples - Fire Dept. \$34.99

Comstar - Fire Dept. \$400.13

BoundTree Medical - Fire Dept. \$107.10

Richard G Petrin - Fire Dept. \$194.74

Michael Clark - Fire Dept. \$159.32

Christopher Lecomte - Fire Dept. \$115.16

Kenneth Perry - Fire Dept. \$101.04

Rob's Auto Care Inc. - Fire Dept. \$62.00

Shipman's Fire Equipment - Fire Dept. \$1,619.56

Shipman's Fire Equipment - Fire Dept. \$349.65

Occupational Health Centers of the Southwest - Fire Dept. \$81.50

Wilbur's General Store - Fire Dept. \$52.97

Vic's Car Washes - Fire Dept. \$9.50

Tiverton Auto Body - Fire Dept. \$1,227.60 \$4,971.55

Sonitrol - Town Hall \$317.97

Wilbur's General Store - Town Hall \$10.12

Wilbur's General Store - Maintenance \$35.93

William L. Moore - Inspections \$510.00

William L. Moore - Building Official \$112.67

Russell L. Sisson & Sons - Capital Improvements \$4,794.00

Cox Communications - Computer \$252.00

Cox Communications - Town Hall Depts. \$282.51

Power Equipment Co. - Public Safety Complex \$817.50

Power Equipment Co. - Town Hall \$187.00

Pitney Bowes - Drug Forfeiture \$231.71

Rob's Auto Care - Drug Forfeiture \$2,584.60

Rhode Island Attorney General - Drug Forfeiture \$30.00

AAA Police Supply - Drug Forfeiture \$103.00 \$2,949.31

Cox Communication/Internet - Police Dept. \$171.00

Cox Communication/Telephone - Police Dept. \$175.70

Sakonnet Veterinary Hospital - Police Dept. \$780.00

CORE Business Technologies - Police Dept. \$396.00

Graphix Plus - Police Dept. \$538.21

Wilbur's General Store - Police Dept. \$7.18 \$2,068.09

The Angell Pension Group - Pension OPEB costs \$7,500.00

The Nature Conservancy - Dunderly Brook Trail Project \$20,000.00

Richard S. Humphrey - Solicitor \$3,500.00

Leonard Duckworth - Assessors \$1,326.91

Robert H. Goff Jr. - Assessors \$1,326.91

William Monahan - Assessors \$1,326.93

Jon C Ibbotson - Highway \$2,550.00

Mello's Diesel Serv. Inc. - Highway \$544.76

Everlasting Designs - December month \$1,600.00

KTR Maintenance & Supply - Town Hall \$45.32

Valcourt Heating - Town Hall \$140.00

Goldstein's Lawn & Farm Equip. - Maintenance \$7.76

Motion made by Councilor Golembeske, receiving a second from Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:12 PM.

Carol A Wordell, Town Clerk